

I daresay that every single Member of this body is for volunteers. What I am concerned about in this particular bill is that it was introduced, we never had a hearing, we have never had discussion of some of the problems—and there are some significant legal problems in it—and I think that of late the Senate has been acting that way, just taking up a big piece of legislation and rushing to the floor with it.

I raised a concern that various hate groups might be protected with their volunteers under this bill. The Senator from Georgia, the Senator from Vermont, and all the others both for and against this have a total abhorrence of hate groups. There is not a single Member of this body that will stand for the kind of thing that so many hate groups stand for.

What I have suggested is they should be looked at carefully. How do you make sure that even beyond the prohibitions against hate crimes that are in the bill that we have the prohibitions against immunizing various hate groups? Do we immunize the volunteers, and do we go further and immunize large organizations that might utilize volunteers and might not take the kind of care they should for the people that come in there, absent those volunteers, or absent that immunization?

Let me give an example. If you have a large for-profit hospital, the kind of hospital where some of the administrators and owners of it will make millions of dollars a year, where the daily care of the patients—nurses, nurses aides and others, of course, make a tiny infinitesimal fraction of that—are augmented by people who willingly come in and volunteer in those hospitals, who are not the millionaire administrators, do we want to set it up so the millionaire directors are somehow removed from that because they were wise enough to bring some volunteers in? Now, I do not think anybody wants to do that.

So let us look at this legislation. As I said, I think we could have avoided several days of discussion and cloture votes and everything else if we had just done what we normally do or should do around here, and that is have a hearing on it. I am the ranking member of the Judiciary Committee, and we are not having to take much time for hearings on Federal judges and nominations even though there are 100 vacancies in the Federal courts. We had time to spend the whole day yesterday to beat up on Janet Reno in a hearing. We could have had time to take a couple hours to hold a hearing on this bill and probably corrected the problems and we would have taken up a lot less time of the Senate in the long run.

I found very interesting the hearing with Attorney General Reno. At the end of 7, 8, or 9 hours, whatever it was, I commended her. She had listened to interminable speeches punctuated by an occasional question. She showed equanimity during the speeches, which

made up most of the hearing—speeches from Senators—but also answered the occasional questions with candor and integrity. It does not mean everyone will agree with her answers.

She sure showed a streak of independence, a streak that may have bothered some, because she showed a willingness to look into inappropriate activity by Members of Congress as well as just at the White House, a matter that I realize has caused some consternation to some on the Hill, but I think it is only fair. If we look at one end of Pennsylvania Avenue, we should look at the other end. I am sure the distinguished Presiding Officer and others would agree with me in that regard.

Let us go to the bill at hand, let us continue to work together. The Senator from Georgia has been dealing in good faith, and he knows the Senator from Vermont has. We will continue to work and see if we can find something, I hope, very soon.

I see the Senator from Georgia on the floor, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. COVERDELL. I thank the Senator from Vermont for his remarks and his interest and dedication to the effort.

I respond to him that, indeed, the effort to try to mesh the concerns on both sides is eagerly being addressed right here at the moment, and there are some positive indications, and I am hopeful that between the Senator from Vermont and his staff and ours and others that are interested in the subject, that we can show some very positive, bipartisan effort here maybe in the next couple of hours or so. Again, I thank him for the effort to create the atmosphere that would allow us to perhaps bring resolution to this matter this afternoon yet.

Mr. President, I also say I think it is fair to note that the issue has been before the Congress in one form or another since 1985. This is the first time that we have really had legislation—that is 12 years. So we are really not dealing with a subject matter for which there is unfamiliarity. We are really trying to hasten the coming together.

There is a propensity in Washington and in the Congress to mull things a bit long. We have had a summit in Philadelphia where we have had the President and three former Presidents, 30 Governors and 100 mayors say, "Now is the time. Now is the time." They have called on over 2 million Americans to step forward. We want them to be able to step forward and not get tripped up. This is exactly the time for us to be addressing this legislation. It has been studied, reviewed, and argued for 12 years. We are down to, as I have said many times, 12 pages. I am very hopeful that people of good faith and good will on both sides can mesh these 12 pages together and, hopefully, by the end of the day, at least in the Senate,

we can say yes to the President's call and yes to Nancy Reagan, when she said, "I hope from now on when somebody asks for a helping hand, you just say yes." This helps American volunteers do just what she requested: Just say yes.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SUPPLEMENTAL APPROPRIATIONS BILL

Mr. BINGAMAN. Mr. President, I want to speak a little bit about the supplemental appropriations bill, which I gather will be on the floor here probably next week, and this issue which has come to light about the effort to put a so-called continuing resolution onto the supplemental appropriations bill. I want to just try to make sense out of that as best I understand it and describe my recollection of things.

There has been a lot of talk in the last few days about the shutdown of Government that occurred in the last Congress. I was here at that time and I remember the occasion. What was happening, as I recall it, was that the President indicated very clearly in public statements and private statements, in a variety of ways, that he would not sign appropriations bills that contained major cuts in education and some of the funds for enforcement of the environmental laws in particular. Those were areas of great concern to the President. He indicated that he wanted Congress to agree with him to maintain funding in those areas—not necessarily increase it, but at least maintain funding in some of those areas before he would sign those bills.

In spite of those statements to that effect, the majority here in Congress sent those bills to the President and he vetoed them. Accordingly, we had a shutdown of the Government. There was no funding available through that appropriations process for those areas of the Government that were covered by those appropriations bills. So, essentially, what was going on was that the majority in Congress was trying to force-feed the President to accept some proposals and some cuts in funding that he was not willing to accept, and that precipitated a crisis. Some felt strongly. Some in the majority party—the Republican Party—at the time felt strongly enough about it that they

were willing to just keep the Government shut down and not send another continuing resolution, not agree to fund Government at the steady State level, but to allow the Government to stay shut down as a way of gaining leverage in those negotiations. I believe it was on the 18th day of, I think, the second shutdown when Senator Dole, the leader in the Senate, finally came to the Senate floor and spoke and said that he believed enough was enough and he himself was going to urge that a continuing resolution be passed in order to go ahead and at least keep the Government funded on a steady-state basis while negotiations between the President and the Congress continued. I came to the floor right after Senator Dole spoke, or I was here at the time he spoke, and I commended him for his decision to break with the House leadership and to go ahead, after 18 days of shutdown, and finally go ahead and fund these departments of the Government. Many of his colleagues here in the Senate followed his lead after that and agreed to go ahead and pass a continuing resolution to fund those areas of the Government.

That was the shutdown, as I recall it. That is a general description of the shutdown that occurred. What we have now is a bill to provide very important funding for a variety of subjects. It is all wrapped into this supplemental appropriation. It is a supplemental, of course, because it is not one of the regular appropriations bills which we do each year. It is a supplemental that comes at an unusual time, and the time that we are dealing with this has been driven, perhaps as much as anything, by the natural disasters that have occurred in particular parts of the country, in North Dakota, South Dakota, Minnesota, and in some other areas as well. There are some other provisions in this supplemental which are also very important. My home State of New Mexico will be able to receive, under this supplemental, \$14 million of desperately needed highway funds, which should have been provided to us under last year's bill and which I made a major point about in the last Congress. We had been fighting to get this money for over 6 months. We lost it in the last set of appropriations bills.

This year, we have been able to persuade the appropriators to include it in this supplemental, and I think that is a very important step forward. So there are provisions in this bill that are important to my State highway funds, title I funds, as well as, of course, the provisions that are intended to assist with the disaster relief, which is so needed by many families that have been devastated by the weather and by the floods that they have experienced in recent weeks in these areas of the Midwest. So that is where we are.

The problem has come up that there is an amendment being included in the supplemental appropriation that is another continuing resolution, and it says that essentially if we adopt that

amendment, it would say that if the Republican majority in Congress does not send the President an appropriations bill he will sign, an acceptable appropriations bill, in any area, there will be allowed to be continued funding in those areas at a rate of 2 percent less than this current fiscal year. The difficulty with it, of course, is that it again changes the dynamic very greatly against a real compromise occurring between the Executive and the Congress on these very important funding issues.

It says to the President, "Look. Before, you had the ability to veto an appropriations bill which you disagreed with, and then everyone had to go back to the table." Now, if we add this continuing resolution provision to the supplemental, that requirement won't be there anymore because there will be no pressure on the Republican Congress to go back to the table and negotiate further with the President. The President will, if we send an appropriations bill that he determines is unacceptable for whatever reason and he vetoes it, as called for in the Constitution, then there is no pressure on the Republican leaders in Congress to renegotiate. They will have in place at that point a continuing resolution, which will have been part of the supplemental, which says we are going to fund everything, and, by the way, the funding level is going to be 2 percent less than it was in the previous year, or, in the case of areas such as education, it is going to be 7 percent less than he requested for this year. That will be the steady rate, and that will be the continuing situation from now on. So there is no pressure for the compromise that the Constitution contemplates between the executive branch and the legislative branch to occur. I think it is a very ill-advised provision.

I think the President is taking the right position by saying that he will not agree to this kind of continuing resolution being adopted as part of this supplemental. But basically, if the Congress says to the President,

If you want this relief for these flood victims, if you want this money for highways in New Mexico, if you want this money for Head Start, or for title I, or any of the other provisions in this supplemental, then you have to agree to a spending level that is 2 percent below this current year's level in all of these other areas, unless we are able to send you something else that is preferable at a later date.

This is not an acceptable proposal. I think the President is correct in refusing to agree to it.

We on the Democratic side are correct in refusing to agree to it. What we should do, and what I believe the American people would like us to do, is to go ahead and approve the supplemental appropriations bill, go ahead and appropriate the funds for flood relief, go ahead and appropriate the funds for the additional highway funding, go ahead and appropriate the additional funds for title I. Then we can have a debate, as we go through the rest of

this year, on the budget resolution and on the appropriations bills. We can have a debate about what the right level of spending ought to be in each of these other areas.

We should not at the very beginning, before we have a budget resolution, before we have any appropriations bills, have some kind of legal provision that says, unless the President agrees to what the Republican majority in Congress sends him, that he has to settle for a 2-percent cut in all areas: education, environmental protection, and all of the other areas.

That is what this continuing resolution provision would do. It needs to be dropped from the supplemental appropriations bill if we are going to go ahead and pass this supplemental appropriations and have it signed into law. It is very important that it be signed into law, and sooner rather than later.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The distinguished Senator from Georgia is recognized.

VOLUNTEER PROTECTION ACT OF 1997

The Senate continued with the consideration of the bill.

Mr. COVERDELL. Mr. President, we are very hopeful, now that we have gotten to S. 543, an accord that deals with the views and concerns of both sides can be reached, but that is not the case as yet and I thought I would take just a moment on something I wanted to acknowledge during the course of the debate.

I found it very interesting that one of the periodicals that came out following the summit in Philadelphia quoted President Clinton and President Bush. I want to share that with the Senate. President Clinton said:

I am keenly aware of the need for strong, caring adults in a child's life. My mother taught me to see opportunities where others see only challenges. My grandfather took me with him, visiting with neighbors and teaching me about people. My grandmother read aloud to me every day so I would be able to read before going to kindergarten. I want children in every family and community to have the same chance I did.

President Bush said:

I said it as President and I'll say it again: Someplace in this country every problem that plagues us is being solved through volunteerism, whether it's drug addiction, street crime or teenage pregnancy. Some community, through volunteers, has solved the problem.

Both of these Presidents have pointed, as most of the summit did, to the